

Docket No. 17200-800
(formerly 3553-4092)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael Majeed

Serial No.: 09/829,488

Group Art Unit: 3625

Filed: April 9, 2001

Examiner: Robert Pond

For: APPARATUS, METHOD AND SYSTEM FOR DYNAMIC
DEMAND REPORTING AND AFFECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO ELECTION REQUIREMENT

I. The Examiner's Election Requirement

Claims 1-107 were previously pending in the application, with claims 52-78 deemed withdrawn. In the Election Requirement dated March, 25, 2005, the Examiner states, "Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for A, B, C and D...." (See, Election Requirement, page 3). The Examiner is requiring Applicant to elect one of the following allegedly patentably distinct species comprising:

- A. tailored for
 - i) hotel commerce, or
 - ii) airline commerce;
- B. database association
 - i) based on login information, or
 - ii) based on a tailored commerce system, or
 - iii) databases specific to a provider, or
 - iv) selection results made in a database selection facility;
- C. demand information
 - i) is limited to a specific vendor, or
 - ii) is limited to cached rejected CPOs, or
 - iii) is limited to unaccepted unexpired CPOs, or
 - iv) is limited to pending CPOs, or
 - v) includes accepted CPOs, or
 - vi) included historic demand information;

D. collected information related to
i) commerce or
ii) demand.
(See, Office Action, page 3).

The Examiner also indicates that claims 1, 4, 7, 18, 21, 24, 35, 38, 41, 89, 94 and 97 are generic.

II. Applicants Provisional Election

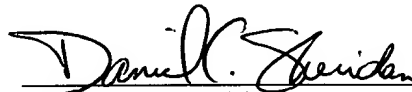
Applicants respectfully traverse the election requirement and submit that (1) conducting a search of the claims as currently pending on their merits presents no undue burden on the Examiner and (2) Applicants are entitled to claim a reasonable number of embodiments in the application. However, Applicants provisionally elect species B and submit that claims 1, 4, 7-11, 18, 21, 24-28, 35, 38, 41-45, 89, 94 and 97-101 are readable on species B.

In the event that a telephone conference would facilitate examination of the application in any way the Examiner is invited to contact the undersigned at the number provided. Although Applicants believe that no additional extensions of time are necessary, should the Commissioner deem further extensions necessary, such extension is hereby petitioned for. Also, the Commissioner is hereby authorized to charge fees any fees which may be required to Deposit Account 03-1240, No. 17200-800. A duplicate copy of this page is attached.

Respectfully submitted,
Chadbourne & Parke LLP

Dated: August 25, 2005

By:



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